

**HOFLAND & TOMSHECK**

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*Attorney for Defendant*

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA

Plaintiff,

vs.

JORGE FLORES,

Defendant.

Case No.: 2:19-cr-00252-JAD-DJA

Stipulation and Order to Continue  
Sentencing  
(First Request)

IT IS HEREBY STIPULATED AND AGREED, by and between JASON M. FRIERSON, United States Attorney, and EDWARD VERONDA, ESQ., Assistant United States Attorney, counsel for the United States of America, and JOSHUA TOMSHECK, ESQ., counsel for Defendant JORGE FLORES, that the Sentencing and Disposition currently scheduled for April 4, 2023 at 2:00 p.m. be continued for not less than three (3) weeks to a date convenient for the Court, preferably a Friday, except for April 14, 2023 as Mr. Veronda will not be available.

This stipulation is entered into for the following reasons:

1. This is the first Sentencing and Disposition continuance request.
2. Counsel for Defendant is currently in a multi-Defendant Federal Trial before Judge Gloria Navarro which commenced on March 20, 2023 and is expected to last

for 4-6 weeks, with no sessions on Fridays. Therefore, counsel would be available on any Friday setting during that time period.

3. Counsel for Defendant is also currently set to begin an in-custody Jury Trial on a re-trial double murder case from a previous capital verdict in Case No. 06C224572-3 with a firm setting commencing on May 1, 2023.

4. Further, the parties both took steps to ensure Mr. Flores attended an 18 U.S.C. § 3553(f)(5) session on March 27, 2023 but, through no fault of either the government or the defendant, Mr. Flores was not transported to the courthouse for the proceeding. Both parties agree this event should occur before sentencing. The parties have rescheduled the § 3553(f)(5) conference for April 13, 2023.

5. The parties agree to the continuance.

6. The defendant is in custody and is aware of the need to continue sentencing.

7. Additionally, denial of this request for continuance could result in a miscarriage of justice.

8. For the above stated reasons, the parties agree that a continuance of the Sentencing and Disposition would best serve the ends of justice in this case.

DATED this 28<sup>th</sup> day of March, 2023.

Respectfully submitted,

HOFLAND & TOMSHECK

JASON M. FRIERSON  
United States Attorney

/s/ Joshua Tomsheck  
JOSHUA TOMSHECK, ESQ.  
Counsel for Defendant  
JORGE FLORES

/s/ Edward Veronda  
EDWARD VERONDA, ESQ.  
Assistant United States Attorney

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**FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. This is the first Sentencing and Disposition continuance request.
2. Counsel for Defendant is currently in a multi-Defendant Federal Trial before Judge Gloria Navarro which commenced on March 20, 2023 and is expected to last for 4-6 weeks, with no sessions on Fridays. Therefore, counsel would be available on any Friday setting during that time period.
3. Counsel for Defendant is also currently set to begin an in-custody Jury Trial on a re-trial double murder case from a previous capital verdict in Case No. 06C224572-3 with a firm setting commencing on May 1, 2023.

- 1 4. Further, the parties both took steps to ensure Mr. Flores attended an 18 U.S.C.  
2 § 3553(f)(5) session on March 27, 2023 but, through no fault of either the  
3 government or the defendant, Mr. Flores was not transported to the courthouse  
4 for the proceeding. Both parties agree this event should occur before sentencing.  
5 The parties have rescheduled the § 3553(f)(5) conference for April 13, 2023.  
6  
7 5. The parties agree to the continuance.  
8  
9 6. The defendant is in custody and does not object to this continuance.  
10  
11 7. Additionally, denial of this request for continuance could result in a miscarriage  
12 of justice.  
13  
14 8. For the above stated reasons, the parties agree that a continuance of the Sentencing  
15 and Disposition would best serve the ends of justice in this case.

16 **ORDER**

17 IT IS HEREBY ORDERED, that Sentencing and Disposition currently scheduled  
18 for April 4, 2023 at 2:00 p.m. be continued to May 5, 2023, at 10:00 a.m.

19 DATED this 28th day of March, 2023.

20  
21   
22 UNITED STATES DISTRICT JUDGE

23 Respectfully Submitted By:

24  
25 /s/ Joshua Tomscheck

26 Joshua Tomscheck, Esq.  
27 Nevada Bar No. 009210  
28 Attorney for Defendant